

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

BRIAN TUCKER,

Petitioner.

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MISC. NO. 12-57-GPM

MEMORANDUM AND ORDER

MURPHY, District Judge:

Petitioner Brian Tucker's allegations in this miscellaneous action are a mess. What he asks this Court to do is utterly unclear. The Court filed a Show Cause Order on November 8, 2012, ordering Mr. Tucker to explicate a petition that was cognizable and within the jurisdiction of this Court (Doc. 7). Mr. Tucker timely responded to the Show Cause Order (Doc. 8), but his response misses the mark. It is possible that Mr. Tucker is asking the Court to refer a matter for criminal prosecution. (What matter, and refer to what prosecutorial body? Unclear). It is also possible that Mr. Tucker wishes to initiate a 42 U.S.C. § 1983 action against authorities in Cook County, in which case this miscellaneous action is the improper vehicle. But it is not clear that *is* what Mr. Tucker wishes to do. The Court will not spend its time ferreting out a claim here. Each filing Mr. Tucker has submitted further confuses, and efforts to cognize a plausible claim or actionable petition have become Sisyphean. This action shall be **DISMISSED with prejudice** as factually and legally frivolous. *See Hoskins v. Poelstra*, 320 F.3d 761, 763 (7th Cir. 2003) ("District judges have ample authority to dismiss frivolous or transparently defective suits spontaneously, and thus save everyone time and legal expense. This is so even when the plaintiff has paid all fees for filing and service."). This action will be closed on the Court's docket.

IT IS SO ORDERED.

DATED: December 27, 2012

s/ *G. Patrick Murphy*
G. PATRICK MURPHY
United States District Judge